



THE CITY OF NEW YORK
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September 26, 2022

VIA ECF

Honorable Gabriel W. Gorenstein
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

MEMORANDUM ENDORSED

Re: *Holmes v. Trapasso, et al.*,
21-CV-10628 (VEC)(GWG)

Your Honor:

I am a Senior Counsel in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and I am writing on behalf of the Office of Corporation Counsel as an interested party in the above referenced matter. Interested party Office of the Corporation Counsel writes to respectfully request for docket entries twelve, fourteen, twenty seven, and twenty eight to be sealed and removed from public view on the Court docket because these documents contain the personal addresses of officers Amanda Vanwieren-Johnson and Ralph Pena or, in the alternative, for the addresses of Vanwieren-Johnson and Pena to be redacted from these documents. Attached are copies of these documents with the proposed redactions highlighted. Plaintiff consents to the instant application.

Personal addresses of police officers are protected under the "official information privilege" when the officer's interests in privacy and safety outweigh the interest plaintiff has in the information. *Collens v. City of N.Y.*, 222 F.R.D. 249, 254 (S.D.N.Y. 2004). "[P]olice officers play a significant role in law enforcement that may subject them [to] danger, and they have a justifiable fear that disclosing their home addresses could jeopardize their safety." *Id.*; see also *King v. Conde*, 121 F.R.D. 180, 190 (E.D.N.Y. 1988).

Here, upon information and belief, both Vanwieren-Johnson and Pena are retired officers. As a result and due to their former employment as officers, allowing their addresses to remain public on the docket may subject them to danger and jeopardize their safety. Moreover, the

undersigned obtained Plaintiff's consent for the instant application and Plaintiff appears to have no interest in the personal addresses of Vanwieren-Johnson and Pena other than for the purpose of service of process at this time.

Therefore, interested party Office of the Corporation Counsel respectfully requests the Court seal docket entries twelve, fourteen, twenty seven, and twenty eight or, in the alternative, order the redaction of the personal addresses of Vanwieren and Pena on these docket entries.

Thank you for your consideration of the instant application.

Respectfully submitted,

/s/ Thomas Lai

Thomas Lai

Senior Counsel


Special Federal Litigation Division

Encls.

To: **VIA ECF**
Edward Sivin
Attorney for Plaintiff

Granted. The Clerk is directed to seal Docket ## 12, 14, 27, 28 and the exhibits to Docket # 33 (that is, Docket ## 33-1, 33-2, 33-3, and 33-4) by making these documents available for viewing only by the attorneys on this matter and the Court. The City is directed to file on the docket forthwith a letter entitled "Letter Attaching Redacted Versions of Docket ## 12, 14, 27, and 28" and to attach to that letter versions of Docket ## 12, 14, 27, and 28 that redact only the home addresses.

So Ordered.



GABRIEL W. CORENSTEIN
United States Magistrate Judge
September 28, 2022